

Message Text

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FM AMCONSUL LUANDA

TO SECSTATE WASHDC 4097

INFO AMEMBASSY KINSHASA

AMEMBASSY LISBON

AMEMBASSY LUSAKA

AMEMBASSY PRETORIA

CINCLANT

USCINCEUR

UNCLAS LUANDA 1292

E.O. 11652: N/A

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SUBJECT: SUSPENSION OF ALVOR AGREEMENT

1. THERE FOLLOWS A FREE TRANSLATION OF THE TEXT OF REVOLUNTIONARY
COUNCIL DECREE-LAW NUMBER 458-A/75 SUSPENDING THE ALVOR AGREEMENT:

"AFTER THE REVOLUTION OF APRIL 25, 1974, PORTUGAL INITIATED
A TRUE DECOLONIZATION POLICY THROUGH THE ACCEPTANCE OF THE
PRINCIPLE OF INDEPENDENCE FOR THE PEOPLE IN THE COLONIES UNDER
ITS JURISDICTION. AS A RESULT OF THIS POLICY, AND WITH RESPECT
TO ANGOLA, THE PORTUGUESE STATE AND THE NATIONAL LIBERATION
MOVEMENTS-FNLA, MPLA AND UNITA - CONCLUDED THE ALVOR AGREEMENT,
WHICH REGULATES ANGOLA'S TRANSITION TO INDEPENDENCE.

"THE CURRENT SITUATION IN ANGOLA, NEVERTHELESS, IS SUCH AS TO
CAUSE THE GREATEST CONCERN. IN FACT, SINCE ITS SIGNING THE ALVOR
AGREEMENT HAS BEEN FREQUENTLY DISREGARDED BY THE LIBERATION
MOVEMENTS, WHICH HAVE SHOWN THEIR INABILITY TO OVERCOME THEIR
DIFFERENCES FOR THE BENEFIT OF THE ANGOLAN NATIONAL INTEREST,
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A FACT EXPRESSLY RECOGNIZED BY THE MOVEMENTS THEMSELVES IN

THE NAKURU AGREEMENT. THEREFORE, CONSIDERING THE ABSENCE OF MEMBERS OF THE PRESIDENTIAL COUNCIL AND OF THE TRANSITIONAL GOVERNMENT FROM THEIR DUTIES, WHICH MAKES IMPOSSIBLE THE FUNCTIONING OF THESE ORGANS:

"CONSIDERING THE PARALYZATION OF THE NATIONAL DEFENSE COMMISSION DUE TO THE REPEATED ABSENCES OF SOME OF ITS MEMBERS:

"CONSIDERING THE POLICY OF STRICT ACTIVE NEUTRALITY THAT THE PORTUGUESE STATE HAS FOLLOWED WITHOUT, HOWEVER, ABDICATING ITS POLITICAL AND MORAL RESPONSIBILITIES AS THE ADMINISTERING POWER AND CONSIDERING THAT PORTUGAL HAS DEFENDED THE TERRITORIAL INTEGRITY OF ANGOLA AGAINST SEPARATISM AND FOREIGN INCURSIONS AND PROTECTED PERSONS AND GOODS WITH DISCRIMINATION:

"CONSIDERING, MOREOVER, THAT IT IS PORTUGAL'S OBJECTIVE TO CARRY THE PROCESS OF DECOLONIZATION TO SUCCESSFUL COMPLETION WITHIN THE PRESCRIBED PERIOD, CONSCIOUS OF ITS RESPONSIBILITIES TO THE ANGOLAN POPULATION AND IN FULLFILMENT OF THE DUTIES WHICH ACCORDING TO THE UNITED NATIONS CHARTER DEVOLVE UPON THE PORTUGUESE STATE, NAMELY THE DUTY TO CONTRIBUTE TO PEACE AND INTERNATIONAL SECURITY:

"USING THE FACULTY CONFERRED BY ARTICLE THREE NO. 1, LINE 3, OF CONSTITUTIONAL LAW NO. '6/75 OF MARCH 26, THE GOVERNMENT DECREES AND I PROMULGATE, WITH THE FULL EFFECT OF LAW, THE FOLLOWING:

"ARTICLE 1 - IN ADDITION TO THE FUNCTIONS CONFERRED UPON HIM BY THE ALVOR AGREEMENT, THE HIGH COMMISSIONER HAS THE FOLLOWING AUTHORITY:

A) TO DIRECT, COORDINATE AND ORIENT THE EXECUTIVE ACTION OF THE MINISTRIES AND TO MANAGE ALL ASPECTS OF PUBLIC ADMINISTRATION:

B) TO PREPARE DECREE LAWS, DECREES, REGULATIONS AND INSTRUCTIONS FOR THE PROPER EXECUTION OF LAWS:

C) TO DECLARE A STATE OF SIEGE, WITH TOTAL OR PARTIAL SUSPENSION OF CONSTITUTIONAL GUARANTEES IN ONE OR MORE PARTS OF THE UNCLASSIFIED

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TERRITORY OF ANGOLA.

ARTICLE 3 - WHENEVER THE HIGH COMMISSIONER VERIFIES THE ABSENCE FROM HIS FUNCTIONS OF ANY MEMBER OF THE TRANSITIONAL GOVERNMENT, HE WILL NOMINATE A DIRECTOR GENERAL WHO WILL ASSURE THE CARRYING OUT UNDER HIS ORIENTATION AND COORDINATION OF ONLY URGENT CURRENT BUSINESS OF THE RESPECTIVE DEPARTMENT.

ARTICLE 4 - THE MINISTRIES THE HEADS OF WHICH ARE DESIGNATED
BY THE PRESIDENT OF THE PORTUGUESE REPUBLIC UNDER THE TERMS
OF ARTICLE 21(A) OF THE ALVOR AGREEMENT, SHALL HENCEFORTH BE
MANAGED BY DIRECTORS GENERAL NOMINATED BY THE HIGH COMMISSIONER.

ARTICLE 5 - THE PRESENT DECREE LAW ENTERS INTO EFFECT IMMEDIATELY.

SEEN AND APPROVED IN THE COUNCIL OF MINISTERS AUGUST 21, 1975

VASCO DOS SANTOS GONCALVES.

ORDERED PUBLISHED THE PRESIDENT OF THE REPUBLIC

FRANCISCO DA COSTA GOMEZ.
KILLORAN

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